

Appl. No.: 10/087,433  
Reply to Office Action of: 11/14/2003

REMARKS

An Information Disclosure Statement was filed with the USPTO on 10/1/2003. The examiner did not return the Form PTO-1449 indicating that the art was considered. The examiner is requested to return the Form PTO-1449 filed with the Information Disclosure Statement on 10/1/03 with the references initialed to indicate consideration by the examiner.

Claims 7 and 22 have been amended above to correct the typographical errors noted by the examiner in Section 1 of the office action. These amendments do not narrow or limit the scope of the claims.

All of the rejections under 35 U.S.C. §103(a) comprise use of the reference Benner et al. (US 6568861 B2). Benner et al. and the present application were, at the time the invention of the present application was made, commonly owned. Both Benner et al. and the present application were owned by FCI Americas Technology, Inc. An assignment of the present invention to FCI Americas Technology, Inc. was recorded on 3/1/2002 at Reel 012671, Frame 0001. The examiner is directed to MPEP §706.02(l)(2). In accordance with MPEP §706.02(l)(2)(II), it is understood that this statement alone is sufficient evidence to disqualify Benner et al. from being used in a rejection under 35 U.S.C. §103(a) against the claims of the present application. Thus, the examiner is requested to withdraw the rejections under 35 U.S.C. §103(a) based upon Benner et al.

Claims 29-35 were rejected under 35 U.S.C. §102(e) as being anticipated by Benner et al. (US 6568861 B2). The examiner is

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requested to reconsider this rejection. Claim 29 has been amended above to clarify applicant's claimed invention. In particular, claim 29 claims that the pair of latch inserts are connected to the housing and inserted into the at least one passage of the housing section. Latching recesses 30 in Benner et al. are part of the housing 15. The latching recesses 30 are not connected to the housing and inserted into the connector cavities 24. Thus, Benner et al. does not anticipate the features of claim 29. Therefore, claim 29 is patentable and should be allowed.

Though dependent claims 30-35 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 29. However, to expedite prosecution at this time, no further comment will be made.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the Examiner is invited to call Applicant's Attorney at the telephone number indicated below.

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Respectfully submitted,

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2/9/04

Date

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

2/9/04

Date

Calley A. Rauh  
Name of Person Making Deposit